



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-DIR. 145.305
Date: October 20, 2014
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Supersedes: BPP-DIR. 145.305
September 10, 2010

BOARD DIRECTIVE

SUBJECT: DIRECTIVE FOR RULE 145.12(4)(G) - FI-6 DWI PROGRAM

PURPOSE: To establish procedures for a “further investigation” vote to transfer offenders to the DWI program.

AUTHORITY: Texas Government Code Sections 508.0441, 508.045, 508.046, 508.152
Texas Administrative Code Title 37, Part 5, Chapter 145, Sections 145.12(4)(G) and 145.16

DISCUSSION: The following eligibility criteria shall be utilized by the parole panel for the selection of offenders to participate in the DWI program.

DEFINITIONS: Parole Panel - one Board Member and two Parole Commissioners designated by the Presiding Officer (Chair) to vote cases pursuant to Section 508.045 of the Texas Government Code.

PROCEDURES:

I. Eligibility Criteria

A. The Offender must have the following:

1. An active DWI conviction with a sentence to the Texas Department of Criminal Justice;
2. Outside Trusty, General Population Level 1 or 2 (G1, G2), or Not Yet Classified;
3. Have a minimum of 12 months prior to the projected release date or maximum discharge date; and
4. Have a TCUDS/ASI score of three (3) or greater. (See page 3 of this directive for instructions on how to locate the score.)

B. The Offender may not have the following:

1. A violent offense based on the electronic screening of data (expired offenses or offenses where a significant amount of time has passed may be considered on a case by case basis);

2. An active Immigration and Customs Enforcement (ICE) or felony detainer;
 3. A major disciplinary action resulting in loss of time or class in the past six (6) months (not computer screened);
 4. Be currently enrolled in vocational or college courses (not computer screened); or
 5. Be under discretionary mandatory supervision review (HB 1433) prior to program completion.
- II. Transmittals - When the Texas Department of Criminal Justice (TDCJ) becomes aware of one of the following circumstances, the TDCJ will immediately forward a transmittal to the original panel to reconsider their FI vote pursuant to Texas Administrative Code, Section 145.16.
- A. Ineligible to Participate - An offender may be ineligible to participate in the program recommended by the parole panel due to:
 1. Classification resulting from disciplinary actions, or
 2. A change in the projected release or discharge date which results in a projected release or discharge date less than twelve (12) months after enrollment.
 - B. Program Refusal - An offender may initially agree to participate and later refuses to participate in a program or initially refuses to participate in the program.
 - C. Program Termination - An offender may be eligible and placed in the program but due to unforeseen circumstances, is removed from the program. An offender may be removed due to:
 1. A major disciplinary action,
 2. A release on a bench warrant, or
 3. An active felony detainer for a new offense from county or federal law enforcement.

SIGNED THIS, THE 20th DAY OF OCTOBER, 2014.

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

** Signature on file.*

DWI PROGRAM – FI-6

LOCATING THE TCUDS/ASI SCORE

The TCUDS/ASI score is located on the Texas Department of Criminal (TDCJ) mainframe computer database. To locate the score:

1. At the TDCJ ID Main Menu, enter “UCR” for the Unit Classifications Review Inquiry screen.
2. Enter the number “12” for Individualized Treatment Plan (ITP) and the offender’s TDCJ number.
3. At the Individualized Treatment Plan (TP) screen, locate the SCR field which is the screening type. It is the fifth line from the top on the far right side of the screen.
4. The SCO field is the score which is located next to the SCR type.